

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

AARON ESPENSCHIED,
GARY IDLER, and
MICHAEL CLAY,
on behalf of themselves and a class
of employees and/or former employees
similarly situated,

Plaintiffs,

v.

Case No. 09-cv-625

DIRECTSAT USA, LLC,
and
UNITEK USA, LLC,

Defendants.

PLAINTIFFS' PROPOSED SPECIAL VERDICT ON DAMAGES

NOW COME Plaintiffs Aaron Espenscheid, Gary Idler and Michael Clay, on behalf of themselves and classes of similarly situated employees, by their attorneys Gingras Cates & Luebke and Axley Brynelson, LLP, and submit the following Proposed Special Verdict on Damages.

For each special verdict damages question, there are two alternatives, one based upon the current subclasses and a second based upon slightly modified subclasses. Plaintiffs are prepared to submit modified special verdict questions, should the Court modify the current class definitions.

QUESTION NO. 1: For FLSA class members, what is the average number of uncompensated hours worked by a technician in a workweek both before arrival at the first customer job of the day and after completion of the last customer job of the day?

ANSWER: _____

QUESTION NO. 1(a): For FLSA class members, what is the average number of uncompensated non-productive hours worked by a technician in a workweek?

ANSWER: _____

QUESTION NO. 2: For Wisconsin class members, what is the average number of uncompensated hours worked by a technician in a workweek both before arrival at the first customer job of the day and after completion of the last customer job of the day?

ANSWER: _____

QUESTION NO. 2(a): For Wisconsin class members, what is the average number of uncompensated non-productive hours worked by a technician in a workweek?

ANSWER: _____

QUESTION NO. 3: For Minnesota class members, what is the average number of uncompensated hours worked by a technician in a workweek both before arrival at the first customer job of the day and after completion of the last customer job of the day?

ANSWER: _____

QUESTION NO. 3(a): For Minnesota class members, what is the average number of uncompensated non-productive hours worked by a technician in a workweek?

ANSWER: _____

QUESTION NO. 4: For Pennsylvania class members, what is the average number of uncompensated hours worked by a technician in a workweek both before arrival at the first customer job of the day and after completion of the last customer job of the day?

ANSWER: _____

QUESTION NO. 4(a): For Pennsylvania class members, what is the average number of uncompensated non-productive hours worked by a technician in a workweek?

ANSWER: _____

QUESTION NO. 5: For FLSA class members, what is the average number of uncompensated hours worked by a technician in a workweek for unrecorded hours, including lunch hours, between the time the technician arrived at his or her first customer job and the time the technician completed his or her last customer job?

ANSWER: _____

QUESTION NO. 5(a): For FLSA class members, what is the average number of uncompensated productive hours worked by a technician in a workweek for unrecorded hours?

ANSWER: _____

QUESTION NO. 6: For Wisconsin class members, what is the average number of uncompensated hours worked by a technician in a workweek for unrecorded hours, including lunch hours, between the time the technician arrived at his or her first customer job and the time the technician completed his or her last customer job?

ANSWER: _____

QUESTION NO. 6(a): For Wisconsin class members, what is the average number of uncompensated productive hours worked by a technician in a workweek for unrecorded hours?

ANSWER: _____ (Yes or No)

QUESTION NO. 7: For Minnesota class members, what is the average number of uncompensated hours worked by a technician in a workweek for unrecorded hours, including lunch hours, between the time the technician arrived at his or her first customer job and the time the technician completed his or her last customer job?

ANSWER: _____

QUESTION NO. 7(a): For Minnesota class members, what is the average number of uncompensated productive hours worked by a technician in a workweek for unrecorded hours?

ANSWER: _____

QUESTION NO. 8: For Pennsylvania class members, what is the average number of uncompensated hours worked by a technician in a workweek for unrecorded hours, including lunch hours, between the time the technician arrived at his or her first customer job and the time the technician completed his or her last customer job?

ANSWER: _____

QUESTION NO. 8(a): For Pennsylvania class members, what is the average number of uncompensated productive hours worked by a technician in a workweek for unrecorded hours?

ANSWER: _____

QUESTION NO. 9: For FLSA class members, after October 4, 2009, what is the average number of uncompensated hours worked by a technician in a workweek both before arrival at the first customer job of the day and after completion of the last customer job of the day?

ANSWER: _____

QUESTION NO. 9(a): For FLSA class members, after October 4, 2009, what is the average number of uncompensated non-productive hours worked by a technician in a workweek?

ANSWER: _____

QUESTION NO. 10: For Wisconsin class members, after October 4, 2009, what is the average number of uncompensated hours worked by a technician in a workweek both before arrival at the first customer job of the day and after completion of the last customer job of the day?

ANSWER: _____

QUESTION NO. 10(a): For Wisconsin class members, after October 4, 2009, what is the average number of uncompensated non-productive hours worked by a technician in a workweek?

ANSWER: _____

QUESTION NO. 11: For Minnesota class members, after October 4, 2009, what is the average number of uncompensated hours worked by a technician in a workweek both before arrival at the first customer job of the day and after completion of the last customer job of the day?

ANSWER: _____

QUESTION NO. 11(a): For Minnesota class members, after October 4, 2009, what is the average number of uncompensated non-productive hours worked by a technician in a workweek?

ANSWER: _____

QUESTION NO. 12: For Pennsylvania class members, after October 4, 2009, what is the average number of uncompensated hours worked by a technician in a workweek both before arrival at the first customer job of the day and after completion of the last customer job of the day?

ANSWER: _____

QUESTION NO. 12(a): For Pennsylvania class members, after October 4, 2009, what is the average number of uncompensated non-productive hours worked by a technician in a workweek?

ANSWER: _____

Date: _____
Jury Foreperson

Dated this 19th day of May, 2011.

GINGRAS, CATES & LUEBKE

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